

UNCLE JOE IS AN AUTOCRAT

Hold Up Any Bill in the House That He Does Not Fancy.

HAY TO FIGHT THIS AUTOCRACY

Rumors of War With Japan Will Cause Congress to Open the Purse Strings in Order to Give the Country Better Defense.

BY WALTER EDWARD HARRIS.
WASHINGTON, February 5.—While the threat of war with Japan has undoubtedly caused Congress to be rather more liberal in the matter of appropriations for the national defense than usual, and will probably work to secure enlarged appropriations for both the army and navy, it is apparent that the old-time niggardly policy which has been pursued as regards naval and army appropriations has not been entirely abandoned.

A member of the House Committee on Military Affairs, making confidentially this morning, said the committee had realized that there was a possibility of war with Japan, not in the immediate future, but that it was likely to come in the course of time.

"The appropriations for coast defenses were increased by \$15,000,000," he said. "Of course, such an appropriation could not accomplish anything in the way of putting the country in a state of defense in the case of several weeks."

"There is still pending providing for the reorganization of the medical department of the army, which has been favorably reported from the committee, which should pass, but which, in my opinion, will not pass. The medical department, as demonstrated by our war with Spain, is in a bad state. The chief ailment is the lack of men. I do not care to cast any reflections upon any officer of the department, but it was sadly unfit to cope with conditions in our last war. More soldiers died from disease than died from Spanish bullets, far more. And in a very great measure the high mortality rate was due to the lack of surgeons. We were to have another war without this additional legislation affecting the medical corps of the army, we should see that lack of surgeons caused more deaths than Japanese bullets."

Held Up by Speaker.
"That the bill has not passed, and in all probability will not pass, is due to the rules of the House, which give to one man absolute power to say what shall become law and what shall not. This bill has been recommended and even urged by the War Department. This committee reported it favorably by a unanimous vote, if I am not mistaken. Yet Speaker Cannon steadfastly refuses to allow it to be called up, even though it would receive practically the unanimous vote of the House. The bill would increase the expenditure of less than \$50,000. Speaker Cannon is absolutely responsible for the delay in the passage of the bill, while it is needed as urgently as any other in putting our army on a footing where it will be in a position to meet any condition to which it is subjected."

Evil of One-Man Rule.
Representative Hay, of Virginia, when asked concerning this bill today, also declared that it is the Speaker who is entirely due to the opposition of Speaker Cannon.

"The situation as regards this bill illustrates as nothing else has done recently the danger of one man's rule," Hay said. "I have not been able to discover sentiment against the bill anywhere save at the Speaker's desk. Speaker Cannon has shut his teeth and vowed it shall not pass, and withal he is ready to do very much about whether he will allow it to be called up this session, although Chairman Hull, of the Military Committee, introduced the bill, and it received the favorable consideration of the committee."

"I do not believe we are on the verge of war with Japan," said Mr. Hay, "although it may come some time. We could not expect congressional enactment in the way of appropriations for fortifications to do any good so far as war with Japan is concerned, for a year is concerned. But this bill relating to the medical department of the army would put that department in proper shape right away. I believe this is admitted by everybody who has examined it, yet it cannot pass, not because a majority of the House so decides, but because Speaker Cannon says so."

"On the first day of the next session," said Mr. Hay, "I intend introducing a resolution taking from the Speaker the power to defeat legislation by simply refusing to recognize a member who may want to have a bill considered. I shall try to have the rules changed so as to provide that the question of taking up a bill shall be decided by a majority of the House. I shall introduce a resolution of this character into the Democratic caucus, and conversations with a number of Democratic members convince me that it will be adopted. I believe it will remove the support of a number of Republican members."

"If it should fail of adoption in the House," concluded Mr. Hay, "I am convinced we will be able to induce the minority to withhold unanimous consent for consideration of bills, which could certainly bring the Republicans to terms, as it is almost impossible to accomplish legislation without this unanimous consent. I am frank to say there has been too much negligence on the part of Democrats in purely Republican measures."

WILLIAM ALDEN SMITH TO SUCCEED ALGER

LANSING, MICH., February 5.—Congressman William Alden Smith was this afternoon elected by the Legislature to fill out the unexpired term of the late Senator R. A. Alger, who died suddenly of his heart in Washington ten days ago. Congressman Smith had already been elected as Senator Alger's successor at the expiration of his term, March 11th.

DATE FOR DEBT HEARING CHANGED TO MARCH 11TH

WASHINGTON, D. C., February 5.—The time for the hearing on the demurrer in the case of Virginia vs. West Virginia, involving the debt of the former State, was today changed from March 4th to March 11th, to accommodate Hon. John G. Carlisle, who will appear for West Virginia.

ALFRED LEE THAW ON WITNESS STAND

Richmond Man. Cousin of Prisoner. Is Debarred From Testifying.

JEROME MAKES MANY OBJECTIONS

Blocks Defendant's Move to Prove That Insanity Was Prevalent in the Family. Justice Fitzgerald Upholds Jerome's Objections.

NEW YORK, February 5.—The task of proving to a jury that Harry Kendall Thaw was insane—through heredity and mental stress—when he shot and killed Stanford White was taken up today by the defense in this famous case, but when adjournment was announced in the afternoon it was the general opinion in the court-room that but little progress had been made.

Thaw's attorneys endeavored in vain to place before the jury evidence tending, it was said, to prove a strain of insanity in the collateral branches of the defendant's family, but they were blocked at every point by District Attorney Jerome, whose objections were upheld by the rulings of Justice Fitzgerald.

The defense did, however, get before the twelve men in the box the testimony of an expert, that in his opinion Harry Thaw was "suffering from insanity" the night of the tragedy. Mr. Jerome undertook to break down the evidence of the witness—Dr. C. C. Wiley, of Pittsburgh—and for three hours put him through a cross-examination as severe as was ever heard in a New York court. The prosecutor was relentless in his attack, and before he had finished Dr. Wiley protestingly declared:

Converted Into Expert.
"I didn't come here as an expert. I came as a witness to a fact, and I have been converted into an expert without being prepared for it."

The district attorney astonished every one by his intimate knowledge of medicine and his technical phraseology, demanding in a series of questions which he had prepared himself to meet the very defense which Thaw's counsel have entered in his behalf. Mr. Jerome, searchingly inquired into Dr. Wiley's record as a physician, and as a witness on insanity.

He hurled volleys of technical questions at the witness, who at times sat mute and at other times declared he could not answer, or gave evasive replies. Often he brought upon himself sharp warning from the district attorney to make a reply and not an argument.

Hypothetical Case.
Dr. Wiley testified that he predicted his opinion as to Thaw's sanity upon his actions on the night of the tragedy, as described to him in a hypothetical question proposed by the defense, and upon an incident which he witnessed on a Pittsburgh street car during the summer of 1905. Thaw, said the doctor, acted irrationally on the car, coming in suddenly and jerking up one of the window blinds, and then, while standing in a doorway, he said to the conductor:

"Have you ever examined this defendant with any of the recognized tests of insanity?" asked Mr. Jerome.
"No," replied the witness.
"No," he ever conversed with him?"
"No."

Baffled by Questions.
The district attorney then drew from the alienist the opinion that Thaw's acts on the Madison Square Roof Garden, when he killed Stanford White, were not insane, when taken singly, but constituted evidence of insanity when considered collectively. At times Dr. Wiley seemed entirely baffled by the questions. He hesitated at each, and before he could answer, Mr. Jerome had framed another query, replied withal in a sounding technical terms and apparently offering a problem no less difficult than its predecessor. The witness admitted that many of the tests to which the district attorney referred, such as the Romburg test and the Argyle Robertson pupil test, were unknown to him, and when he was asked to quote from any accepted work on insanity, declared he could not give the exact language from any book.

Caused Laughter.
Mr. Jerome's well of knowledge, however, seemed never to run dry. He carried his cross-examination through practically the entire morning session, and for an hour after luncheon continued to ply the witness with all manner of questions. It was necessary for the balliffs (Continued on Third Page.)

ORANGE PEOPLE DEEPLY STIRRED

Large Sum Offered for Conviction of Persons Who Chloroformed Ladies.

[Special to The Times-Dispatch.]
GORDONSVILLE, VA., February 5.—The chloroforming of four of the young ladies of Gordonsville last Wednesday night is impressing the people more seriously every day. The whole county of Orange is beginning to see and realize the awfulness of the crime. Governor Swanson has offered \$200 reward; the supervisors of the county have offered \$100; the citizens of Orange Courthouse have subscribed about \$150, and Gordonsville has a subscription of about \$100; making a total of \$550 in the way of reward, provided the guilty party is convicted.

PREDICTS WORLD'S EARLY DESTRUCTION

[Special to The Times-Dispatch.]
SUFFOLK, VA., February 5.—Dr. H. E. Johnson, of the Main Street Methodist Church, last night predicted an early destruction of the world. He spoke of the fulfillment of many prophecies, quoted theological facts and commentaries and reasoned that the coming of Christ draws near. Dr. Johnson was formerly a pastor of the Laurel Street Methodist Church.

SCENE DURING BOOK INQUIRY YESTERDAY SHOWING LIBRARIAN KENNEDY CROSS-EXAMINING MR. BELL



ARE HOMELESS IN SNOWBOUND CITY

Woman With Seven Starving Children Comes Here From Country Seeking Work.

SAYS HUSBAND WAS CRUEL

Case One of Most Pitiful Ever Known Here—Children in Need of Clothes.

One of the most pitiful cases that have come to the attention of the charitable associations in some time is that of Mrs. Janie Dabney, who, with seven children, all under fourteen, was found yesterday on Main Street, practically without means and without a place to go. It is the old story, the reported wealth of the city has drawn the country family to the Mecca of all the poor, the capital of the State.

Mrs. Dabney told her story last night, while her family gathered around the stove in the office of Superintendent Buchanan at the Associated Charities. It is a story of alleged cruel treatment and abuse from her husband, Pontine Dabney, who is a woodchopper and laborer near Keswick, Va. The family have lived in the simplest style near Keswick, the two older boys helping their father with the wood, while the next two attended the log school.

Found in Station.
"The simple belief of the woman, that all her wrongs would be settled if she could reach Richmond, is most touching. According to her account, she endured as much poverty and ill-treatment, and as much poverty and hard living, as she was able to bear, and then, when she was about ready to give up, she was found around her, saved enough money for a ticket to Richmond, abandoned her husband, and came back to the city where she worked as a girl, fifteen years since, in one of the poorest families."

The family were found at Main Street Station yesterday afternoon, without any place to go, and no means whatever. Roy A. B. Sharpe, of the Methodist Institution, was sent for, and recommended the family to go to the Associated Charities, as his institution had no place for women and children.

The homeless family excited the greatest sympathy of the mission officials, and though the case seems to be a most difficult one, there could be no hesitation in taking the family off the snow-covered streets, and giving them at least a temporary shelter.

Superintendent Buchanan returned from a round of visits in the lower part of the town, to find the whole party grouped about the stove in his office. The woman, who is a frail-looking, somewhat faded person of about forty, was holding a fine-looking baby of two years. The baby seemed worn out and entirely miserable, and the entire party, except the baby, looked pinched and dejected in the extreme. The five older children are boys—Archie, aged fourteen; Herman, twelve; Dennis, nine; Lewis, eight; and Randolph, four; the two little ones being girls—Carry, aged six, and the baby, Reva, not quite two.

Mrs. Dabney, who seemed much exhausted by the rough spell of weather in which she had left her home and made this venture into the world, said last night that she hoped to be able to get some employment, possibly again in a tobacco factory, while the older boys would also be able to help.

"The boys, who had no need of clothes, shoes and stockings, seem to be brave and intelligent, although their first view of the city in the snow and slush has been somewhat bewildering."

Mr. Buchanan hopes to be able to induce the woman to return to her husband, and it may be that through his agency some sort of reconciliation can be effected.

Meanwhile the family have been given quarters at the Ballard House, and a further conference will be held to-day as to what further action will be best in the case.

BORROWS PISTOL; KILLS NEGRO; RETURNS WEAPON

NORFOLK, VA., February 5.—J. D. Shadbolt, an automobile chauffeur, shot and killed Milton Brown, a negro, yesterday. Shadbolt was in a saloon frequented by colored people and had some words with Brown. He claims that Brown insulted

BAILEY CALLS WITNESS "LIAR"

Dramatic Scene in Texas Legislative Investigation of Senator Bailey.

ENCOUNTER WAS IMMINENT

Senator and Witness Rush at Each Other, But Deputy Sheriff Takes Hand.

AUSTIN, TEX., February 5.—A dramatic scene was enacted in the Bailey investigation today, when Senator Bailey and E. N. Mentz, of Houston, met in a personal encounter. Bailey, who is a personal acquaintance of the senator, testified in his own behalf to-day. Dr. Simpson testified positively that he intentionally shot Horner. He was cleaning the gun in the kitchen, he said, and was explaining to the Polish chore boy how to "break" it, when it was accidentally exploded. He did not know Horner was shot, when he heard him cry out: "My God, doctor, what have you done?"

On cross-examination Dr. Simpson denied that he had threatened the Polish boy, Frank Wisniewski. "Did you not tell him that if he said anything about the happenings of that night you would accuse him of having shot Horner?" asked the district attorney.

"I did not," Dr. Simpson, in reply to the question, said he knew nothing about hypnotism, and that he had never tried to exert hypnotic influence over Wisniewski. In reply to another question, Simpson said that, in spite of all that has happened, he still loves his wife and his mother-in-law, both of whom appeared on the stand against him as witnesses for the prosecution.

WED IN HALF HOUR AFTER MEETING

Virginia Woman Meets Oklahoma Man at St. Louis and Marries Him.

JAPANESE CORDIAL TO THIS COUNTRY

All Talk of Having War Is Completely Ignored in Tokio.

TOKIO, February 5.—The view taken here of the American-Japanese situation arising from the San Francisco school incident is illustrated by the following official statement, which was issued to-day: "Since the talk of war has first transpired in the middle of the train car, the Japanese people have carefully watched the development of feeling here. There has not been the slightest excitement anywhere in the country."

The statement concludes with these words: "The talk of war is completely ignored here, and implicit confidence is reposed in President Roosevelt and his government. The ebullitions of the anti-Japanese press of America are powerless to shake Japan's cordiality towards the United States."

SEVEN MINERS PERISH IN WRECK OF COAL TRAIN

DES MOINES, IA., February 5.—Seven miners were killed last night and a dozen were injured in the wreck of a coal train on the Chicago and Northwestern Railway near Des Moines. A car in the middle of the train caught fire and derailed, and the cars behind it were thrown overboard. The train carried about thirty miners, scattered in groups on different coal cars. Several passengers were in the caboose. The victims were all buried under wreckage and coal, which later caught fire, making the rescue work difficult. The injured will recover.

WATSON PAYS TRIBUTE TO PRESIDENT ROOSEVELT

JACKSON, MISS., February 5.—In addressing the Farmers' National Union of Mississippi today to-day, Thomas E. Watson, of Georgia, paid a tribute to President Roosevelt, for his preservation of sectional intolerance. Mr. Watson attacked corporations, alleging that they are robbing farmers. He denounced the national banking system as injurious. He said the railroads should be more vigorously controlled by the government to compel the payment of small dividends and the expenditure of more money to prevent the sacrifice of human life.

"AN ACCIDENT," SIMPSON SAYS

Man Who Killed His Father-in-Law Takes Stand in Defense.

WAS CLEANING THE PISTOL

Wife and Mother-in-Law Testify Against Him—He Loves Them Still, He Declares.

RIVERHEAD, L. I., February 5.—Dr. James W. Simpson, the dentist who is on trial charged with the murder of his father-in-law, Barley W. Horner, testified in his own behalf to-day. Dr. Simpson testified positively that he intentionally shot Horner. He was cleaning the gun in the kitchen, he said, and was explaining to the Polish chore boy how to "break" it, when it was accidentally exploded. He did not know Horner was shot, when he heard him cry out: "My God, doctor, what have you done?"

On cross-examination Dr. Simpson denied that he had threatened the Polish boy, Frank Wisniewski. "Did you not tell him that if he said anything about the happenings of that night you would accuse him of having shot Horner?" asked the district attorney.

"I did not," Dr. Simpson, in reply to the question, said he knew nothing about hypnotism, and that he had never tried to exert hypnotic influence over Wisniewski. In reply to another question, Simpson said that, in spite of all that has happened, he still loves his wife and his mother-in-law, both of whom appeared on the stand against him as witnesses for the prosecution.

WED IN HALF HOUR AFTER MEETING

Virginia Woman Meets Oklahoma Man at St. Louis and Marries Him.

JAPANESE CORDIAL TO THIS COUNTRY

All Talk of Having War Is Completely Ignored in Tokio.

TOKIO, February 5.—The view taken here of the American-Japanese situation arising from the San Francisco school incident is illustrated by the following official statement, which was issued to-day: "Since the talk of war has first transpired in the middle of the train car, the Japanese people have carefully watched the development of feeling here. There has not been the slightest excitement anywhere in the country."

The statement concludes with these words: "The talk of war is completely ignored here, and implicit confidence is reposed in President Roosevelt and his government. The ebullitions of the anti-Japanese press of America are powerless to shake Japan's cordiality towards the United States."

WATSON PAYS TRIBUTE TO PRESIDENT ROOSEVELT

JACKSON, MISS., February 5.—In addressing the Farmers' National Union of Mississippi today to-day, Thomas E. Watson, of Georgia, paid a tribute to President Roosevelt, for his preservation of sectional intolerance. Mr. Watson attacked corporations, alleging that they are robbing farmers. He denounced the national banking system as injurious. He said the railroads should be more vigorously controlled by the government to compel the payment of small dividends and the expenditure of more money to prevent the sacrifice of human life.

WATSON PAYS TRIBUTE TO PRESIDENT ROOSEVELT

JACKSON, MISS., February 5.—In addressing the Farmers' National Union of Mississippi today to-day, Thomas E. Watson, of Georgia, paid a tribute to President Roosevelt, for his preservation of sectional intolerance. Mr. Watson attacked corporations, alleging that they are robbing farmers. He denounced the national banking system as injurious. He said the railroads should be more vigorously controlled by the government to compel the payment of small dividends and the expenditure of more money to prevent the sacrifice of human life.

HOSPITAL CASE IN COURT TO-DAY

Answers Filed Yesterday and Oral Argument Will Be Heard This Morning.

THE POSITION OF DR. FOSTER

Braxton to Represent Lawless Before Judge Scott To-Morrow Morning.

Attorneys Jeffress and Lawless, counsel for Dr. J. S. Foster, along with Dr. Foster himself, yesterday appeared in the Supreme Court of Appeals in response to notice to file with the court the answer of their client and of Judge D. Gardiner Tyler to show cause why a writ of prohibition should not issue against them in the Eastern State Hospital superintendency proceedings. Contrary to expectations, the proceedings in court were limited to the filing of the answers yesterday, but it was determined that opportunity would be given for oral argument to-day.

One of the writs issued by the court last week prohibited Circuit Judge D. Gardiner Tyler from further maintaining the certification proceedings before his court, and the other writ, addressed jointly to Dr. L. S. Foster and Judge Tyler, requires them to appear and show cause why they should not be restrained from further interference with the action of the General Board of Directors of State Hospitals, and the assumption of his office by Dr. Brunk, its appointee.

Oral Argument To-Day.
Messrs. John L. Jeffress and Joseph T. Lawless, of the law firm of Jeffress & Lawless, of Norfolk, counsel for Dr. Foster, appeared, as did Attorney-General William A. Anderson for the State, and Attorneys Henry W. Anderson and Egan Tullion, Jr., of Munford, Hinton, Williams & Anderson, for the General Hospital Board. Dr. Foster was also present in the courtroom.

All five judges save Judge Cardwell were on the bench when the case came up. Colonel Lawless announced that he was prepared to file the answers of his client and of Judge Tyler, and asked permission also to file demurrers to the petition for the writ of prohibition. He asked that Dr. Foster be made a party to both proceedings, and this was permitted.

Attorney-General Anderson announced that he would file a printed brief in support of the petitions for the writ, whereupon the attorneys for Dr. Foster and Judge Tyler asked that they be permitted to see this brief and examine it. After some further parleying among the lawyers, the court decided to hear oral argument in the matter, and fixed to-day at 10 A. M. as the time therefor. Oral arguments will be heard to-day, and then Messrs. Jeffress & Lawless will be allowed two days in which to prepare their answers.

(Continued on Ninth Page.)

TO CHLOROFORM YOUNG LADIES

Man Makes Attempt, But Is Frightened Off—Went to Several Houses.

(Special to The Times-Dispatch.)
CHATHAM, VA., February 5.—An unsuccessful attempt to chloroform Misses Cassie and Kate Yates at their home here was made by an unknown person last night. The young ladies who make their home with their mother, Mrs. J. H. Little, were asleep in a room adjoining.

While the anesthetic was being administered, one of the young ladies awoke, and feeling the hand of some one on her forehead screamed, which brought her father. Just as he entered, some one ran down the back steps and disappeared in the darkness. Miss Kate, the younger of the two, was very sick from the effects, but recovered in a few hours, and is now entirely out of danger. Tracks leading from the house were followed to several residences. Entrance to the Little home was gained through the kitchen window, and the man used a hat and hood of the young ladies with which to administer the drug. The authorities have the matter in hand and will sift same to the bottom.

Wanted a Square Deal.
Mr. Bell occupied the stand for a long while, and he asserted that the reason he had not bid on the recent contracts for library books was mainly that he did not think the librarian would give him a "square deal."

He was cross-examined by Mr. Meredith and Mr. Kennedy, the latter asserting the witness in some sharp exchanges now and then.

KENNEDY SAYS HIS WIFE MADE HIM THE OFFER

Gave Him New York Draft for \$500 To Write History.

MONEY DEPOSITED TO HIS CREDIT

Also Consulted Johnson's as to Publishing Book—Admits He Purchased Rare Book and Sold for Profit, But Says He Had Right.

Librarian J. P. Kennedy was the star witness before the schoolbook investigating committee yesterday, and the searching cross-examination through which he was put by Chairman Richard B. Byrd lasted for nearly two hours. He will resume at 10 o'clock this morning, and indications are that the inquiry will end to-day, and that the report will be made up and given to the public in a short while.

The day was full of interesting incidents, and at times there were spirited colloquies and sharp retorts among parties in interest. Messrs. C. V. Meredith and S. S. P. Patterson, members of the library board, were present during the day, and now and then asked questions relating to salient matters concerning the inquiry. Nearly all the seats in the Senate chamber were taken, and many had to stand.

There were but four witnesses during the day. They were Messrs. W. C. Torrence, of the bibliography department; F. R. Berkeley, of the department of traveling libraries; R. O. Bell, of the Bell Book and Stationery Company, and J. P. Kennedy.

Mr. Torrence testified as to the alleged statement of Mr. Kennedy concerning an offer he had to write a history of Virginia, and he practically corroborated the testimony of Messrs. Evans, Berkeley and others on this point.

Wife Made Him the Offer.
The climax of this farcical case, however, toward the end of the session, when Mr. Kennedy contradicted these witnesses and declared that it was his wife who had made him the offer.

He declared that he had had in mind the writing of a history for some time, though he had not the means to undertake the work. Mrs. Kennedy had the money to spare. They talked it over, and she gave him a New York draft for \$500 for the purpose of getting the work started. He estimated that the entire cost would be about \$2,500, and that it might be a source of some profit.

Witness said he deposited the draft to his credit in the National Bank of Virginia, and later on he about decided not to write the book, but used the money for other purposes, with his wife's consent.

He admitted that later he had consulted Mr. Crump and Mr. Norvell, of the B. E. Johnson Company, with reference to the writing of such a history, and he and Mr. Crump had talked over the cost of the publication.

He had told Mr. Crump that in the event he decided to write the history, the matter of getting the data would cost something, and that he did not have money to spare.

Couldn't Find Papers.
Witness said he might decide to write the history later, but if he did he would consult the Attorney-General and get the consent of the Library Board.

Mr. Byrd asked the witness through a searching examination with reference to his second annual report, which was quoted in the fight for the appropriation for traveling libraries before the last Legislature. The report set out the crying need for these libraries, and declared that there were about thirty applications then on file for them.

Mr. Byrd handed Mr. Kennedy what purported to be the file in question, and it contained no applications. Witness thought if given time he could produce correspondence on this subject which would prove satisfactory.

Mr. Stroh did not think this was a matter within the scope of the committee's powers, but Messrs. Byrd and Cox took the other view, and the line was pursued.

Mr. Kennedy said he would produce the papers when his stenographers could look through 20,000 letters and find them.

Sale of History.
Mr. Byrd brought out another matter which was full of interest. It was with reference to the dealing in books by the librarian "on the side."

He admitted that in 1906 he had bought from J. C. Birdsong, of Raleigh, N. C., "Burk's History of Virginia" for \$10. He had sold it later to Professor Dunbar Roland, of Jackson, Miss., on his own account for \$20. He had a right to do this, he said, because his impression was that the history did not want the books, and that the State was not in the business of speculating in them.

The correspondence relating to the purchase and sale of the books is signed as Librarian, and Mr. Kennedy said he signed all letters that way.

Mr. Byrd asked the witness if he had consulted the board about conducting a "general merchandise business for the sale of books" while in the employ of the State, and the latter again said it was his impression that the books were not wanted by the State. He thought he had the right to buy and sell a book in his own time.

Mr. Bell occupied the stand for a long while, and he asserted that the reason he had not bid on the recent contracts for library books was mainly that he did not think the librarian would give him a "square deal."